



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

**AUG 07 2006**

DE-9J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Samuel Schott and Schott Metal Products, Inc.  
c/o Brent English, Esq.  
M.K. Ferguson Plaza  
1500 West Third Street, Suite 470  
Cleveland, Ohio 44113-1422

Re: Samuel Schott and Schott Metal Products, Inc.  
Issuance of the Administrative Order Under  
Section 3013 (a) of RCRA

Dear Mr. English:

Enclosed is an Administrative Order (Order) for corrective action, which the United States Environmental Protection Agency hereby issues to Schott Metal Products under the authority of Section 3013 (a) of the Resource Conservation and Recovery Act (RCRA). It is our understanding that you are providing legal representation for Schott Metal Products.

In view of environmental conditions at the Schott Metal Products facility, EPA seeks sampling, monitoring and testing at the facility, and implementation of any necessary remedial action under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 *et seq.*

On March 21<sup>st</sup>, 2006, U.S. EPA offered Schott Metal Products and its individual principal the opportunity to perform those activities under an Administrative Order on Consent (AOC). Schott Metal Products had 30 days from receipt of the order to reach and agreement with U.S. EPA to perform the sampling, monitoring and testing at the facility and to determine if there was a need for remedial action at the Site. Schott Metal Products did not respond to negotiate an agreement for the (AOC), thus resulting in this Administrative Order. Once the work under this Order is completed, EPA will then decide whether remedial work is required and, if so, propose a separate order addressing it.

Three copies of a written proposal for carrying out monitoring, testing, analysis and reporting should be submitted to U.S. EPA within 30 days of receipt of this letter, in accordance with Section VI of the Administrative Order.

Schott Metal Products' staff or technical representatives can contact me at (312) 886-6181. For any legal questions or issues, please contact Mr. Tom Williams at (312) 886-0814.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tammy Moore', with a large loop at the start and a series of vertical strokes at the end.

Tammy Moore  
Project Manager

Enclosures

cc (w/o enclosures):

George Hamper, DE-9J  
Tom Williams, C-14J

*U.S. Environmental Protection Agency  
RCRA § 3013(a) ORDER*

*For*

*Schott Metal Products and  
Samuel Schott  
OHD 004-192-720*

**RCRA SECTION 3013(a) ADMINISTRATIVE ORDER ON CONSENT**

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**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

<b>IN THE MATTER OF:</b>	)	<b>RCRA Docket No.</b>
	)	
<b>Samuel Schott and</b>	)	
<b>Schott Metal Products, Inc.</b>	)	
<b>2225 Lee Drive</b>	)	
<b>Akron, Ohio 44306</b>	)	
	)	
<b>EPA ID No. OHD 004 192 720</b>	)	<b>PROCEEDING UNDER SECTION</b>
	)	<b>3013 OF THE RESOURCE</b>
<b>Respondents.</b>	)	<b>CONSERVATION AND RECOVERY</b>
	)	<b>ACT, 42 U.S.C. ' 6934</b>

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**ORDER REQUIRING MONITORING, TESTING,  
ANALYSIS AND REPORTING**

**I. JURISDICTION**

1. The Administrator of the United States Environmental Protection Agency (EPA) is issuing this Administrative Order (Order) to Samuel Schott and Schott Metal Products, Inc. (Schott Metal)(jointly, Respondents), under Section 3013(a) of the Resource Conservation and Recovery Act ("RCRA" or the Act), as amended, 42 U.S.C. § 6934(a). The Administrator has delegated the authority to issue orders under RCRA § 3013 to the Division Director of the Waste, Pesticides, and Toxics Division; U.S. EPA Region 5.
2. Schott Metal Products, Inc. is a corporation organized under the laws of the State of Ohio. Samuel Schott is a natural individual and is an officer of Schott Metal.
3. On June 30, 1989, the State of Ohio (State) received final authorization pursuant to RCRA § 3006(b), 42 U.S.C. § 6926(b), to operate a hazardous waste program in lieu of the federal hazardous waste program established under RCRA Subtitle C. Pursuant to the Memorandum of Agreement (MOA) between the State of Ohio and EPA, EPA expressly retains its rights to issue Orders and bring actions under § 3013 of RCRA and any other applicable federal statute.
4. This Consent Order is based upon the administrative record compiled by EPA and incorporated herein by reference. The record is available for review by the Respondents and the public at EPA's Regional Office at U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604.

## **II. PARTIES BOUND**

5. The provisions of this Order shall apply to and be binding upon Respondents and Schott Metal's officers, directors, employees, agents, contractors, successors, and assigns.
6. No change in ownership, or corporate or partnership status relating to the Facility described in this Order will in any way alter the status or responsibility of Respondents under this Order. Any conveyance by either Respondent of title, easement, or other interest in the Facility described herein, or a portion of such interest, shall not affect Respondents' obligations under this Order. Respondents shall be responsible and liable for any failure to carry out all activities required of them by this Order, irrespective of their use of employees, agents, contractors, or consultants to perform any such tasks.
7. Respondents shall provide a copy of this Order to all contractors, subcontractors, laboratories, and consultants retained to conduct or monitor any portion of the work performed pursuant to this Order within seven (7) calendar days of the effective date of this Order, or on the date of such retention, and Respondents shall condition all such contracts on compliance with this Order.
8. Any documents transferring ownership and/or operations of the Facility, or any portion of the Facility, described herein from either Respondent to a successor-in-interest shall include written notice of this Order. In addition, the Respondent shall, no less than thirty (30) days prior to transfer of ownership or operation of the Facility, provide written notice of this Order to his or its successor-in-interest, and written notice of said transfer of ownership and/or operation to EPA.

## **III. FINDINGS OF FACT**

### **➤ Ownership and Operation History:**

10. The Respondents are Schott Metal Products, Inc. (Schott Metal), a corporation doing business in the State of Ohio, and Samuel Schott, a natural individual. Respondent Schott Metal Products is a generator of hazardous waste and the operator of a hazardous waste management facility (the Facility) located at and near 2225 Lee Drive, Akron, Ohio. Respondent Schott Metal has manufactured car parts at the Facility since 1948. Schott Metal's manufacturing operations generated three waste types: (1) steel scrap, (2) degreasing waste containing Trichloroethylene (TCE), and (3) paint waste containing toluene and xylene. Respondent Samuel Scott is an officer and operator of Schott Metal, and an owner of several of the parcels comprising the facility.
11. The Facility that Respondents operate includes several parcels of land, consisting of parcels located at 2218 Lee Drive, 2225 Lee Road (Parcel No. 5106337), 2225 Lee Drive (Parcel No. 5106339), 2209 Lee Road (Parcel No. 5106334), 2227 Lee Road (Parcel No. 5106342), and

Parcel 5106345 which is directly south of 2227 Lee Road, for a total acreage of approximately 10.4.

12. The Facility is located in a residential area, and each home within the vicinity uses groundwater as its primary source of water.

13. There are three unpermitted Solid Waste Management Units (SWMUs) at the Facility, consisting of a land disposal unit (or "landfill"), a drum storage area, and an area below the stack at a spray booth where sludges accumulated. These were created from the storage and disposal of listed paint solvent and degreasing wastes, both of which contained trichloroethylene (TCE).

14. Prior to 1988, Schott Metal used TCE in a 100-gallon capacity vapor degreaser to prepare metal parts for painting. From 1984 to 1988, TCE used in the vapor degreasing unit was accumulated in drums and stored on-site for more than 90 days.

15. In the course of its operations, Schott Metal generated sludge waste from non-halogenated solvents, including toluene and xylenes, in the process of cleaning paint spray guns. The sludges were stored in drums in the drum storage area, and were disposed of in the unpermitted land disposal unit.

16. In the course of Schott Metal's operations, sludge also collected below the stack of the spray booth at the Facility. Accumulated sludges from around and beneath the stack of the spray paint booth were occasionally dug up and disposed of in the unpermitted land disposal unit. Paint wastes from a dust collector at the spray booth were disposed of similarly.

#### **Notifications and Inspections:**

17. The following is a chronological list of notifications, inspections and legal actions performed by the Ohio Environmental Protection Agency (Ohio EPA), and reports submitted by Respondents:

- On January 20, 1988 Ohio EPA's Northeast District Office collected samples from drums of waste and from waste on the ground at the Facility. The analytical results indicated that Schott Metal was generating hazardous waste, and disposing of it in the on-site landfill.
- On March 2, 1988, Ohio EPA's Northeast District Office notified Schott Metal that Schott Metal was operating an unpermitted hazardous waste landfill or land disposal unit at the Facility.
- Schott Metal submitted a Notification of Hazardous Waste Activity on April 13, 1988.



- On December 1, 1988, Ohio EPA conducted a Comprehensive Ground Water Monitoring Evaluation inspection of the Facility.
- On January 10, 1989, Ohio EPA issued a Notice of Violation to Schott Metal, reciting that Schott Metal was in violation of Ohio Administrative Code Chapters 3745-65-90 through 3745-65-94, which require and specify methodology for ground water monitoring at land disposal facilities that do not hold a RCRA Part B permit.
- On February 1, 1989, an Ohio EPA Compliance Evaluation Inspection found that Schott Metal remained in violation of Ohio's ground water monitoring regulations. Other violations were also identified.
- Schott Metal entered into a Consent Order with Ohio EPA on August 28, 1990. Among other things, the Order required Schott Metal to:
  - 1) submit an approvable closure plan;
  - 2) submit an approvable ground water monitoring plan;
  - 3) implement the ground water monitoring plan;
  - 4) close the landfill;
  - 5) provide a written closure cost estimate; and
  - 6) demonstrate financial responsibility for liability related to waste management.
- On September 12, 1990, Ohio EPA conducted another Compliance Evaluation Inspection at the Facility. It found, among other things, that Schott Metal remained in violation of the ground water monitoring regulations.
- On May 1, 1991, Ohio EPA conducted another Compliance Evaluation Inspection at the Facility. It found that Schott Metal remained in violation of the ground water monitoring regulations and, further, that Schott Metal had failed to abate violations identified in the September 1990 inspection and to comply with the August 1990 Consent Order. Additional violations related to the unpermitted storage of a drum of hazardous waste were identified.
- On May 10, 1991, Schott Metal submitted a closure plan.
- On October 21, 1991, Ohio EPA conducted a Comprehensive Ground Water Monitoring Evaluation inspection at the Facility. It found that Schott Metal remained in violation of the ground water monitoring regulations and, further, that it had failed to comply with the August 1990 Consent Order.
- In comments dated October 28, 1991, the Ohio EPA Division of Drinking and

Ground Water stated that two on-site water wells were not suitable for ground water monitoring.

- On November 19, 1991, Ohio EPA conducted another Compliance Evaluation Inspection. It found that Schott Metal remained in violation of the ground water monitoring regulations, and, further, that Schott Metal had failed to abate violations identified in the September 1990 inspection and the May 1991 inspection, and had violated the August 1990 Consent Order.
- On February 13, 1992, Ohio EPA issued a Notice of Deficiency for the May 1991 Closure Plan, identifying numerous deficiencies related to ground water monitoring. On June 9, 1993, Schott Metal submitted a revised closure plan addressing this Notice of Deficiency.
- On August 11, 1993, Ohio EPA conducted another Compliance Evaluation Inspection. It found that Schott Metal remained in violation of the ground water monitoring regulations and, further, that Schott Metal had failed to abate violations identified in the September 1990 inspection, the May 1991 inspection and the November 1991 inspection, and had violated the terms of the August 1990 Consent Order.
- On August 30, 1993, the Summit County Clerk of Court entered an Order on the State's Civil Charges in Contempt, requiring Respondents to pay civil penalties, and comply with the August 1990 Consent Order.
- On December 9, 1993, Schott Metal submitted a Revised Closure Plan.
- On March 9, 1994, the Director of the Ohio EPA approved the Revised Closure Plan with modifications. On April 13, 1994, Schott Metal appealed this approval to the Ohio's Environmental Board of Review.
- On June 15, 1994, Ohio EPA conducted a Compliance Evaluation Inspection. It found that Schott Metal remained in violation of the ground water monitoring regulations and, further, that Schott Metal had failed to abate violations identified in the September 1990 inspection, the May 1991 inspection, the November 1991 inspection, and the August 1993 inspection, and had violated the terms of the August 1990 Consent Order.
- On August 9, 1994, Schott Metal withdrew its appeal regarding the Revised Closure Plan.
- On October 21, 1994, the Ohio EPA approved Schott Metal's Final Closure Plan. Schott Metal has not implemented this plan.

- In July 1996, Schott Metal submitted a request to modify the Revised Closure Plan, and then submitted an Amended Closure Plan.
- Ohio EPA issued a Notice of Deficiency on April 29, 1997, which Schott Metal appealed to the Ohio Environmental Board of Review.
- Schott Metal submitted to Ohio EPA a proposed Health-Based Risk Assessment, which was incorporated into a Modified Amended Closure Plan in December 1999. Schott Metal then withdrew its appeal of the Notice of Deficiency.
- In February 2002, Ohio EPA and Schott Metal entered into an Agreed Judgment Entry requiring Schott Metal to implement the Modified Amended Closure Plan and demonstrate financial responsibility for closure. Ohio EPA approved the Modified Amended Closure Plan with modifications in March 2002. One month later, Schott Metal appealed the Modified Amended Closure Plan to the Ohio Environmental Board of Review, now known as the Environmental Review Appeals Commission.
- In February 2005, Schott Metal agreed to withdraw its appeal and to submit a soil sampling and analysis plan and groundwater quality assurance program.
- Schott Metal submitted the required soil sampling and analysis plan on April 11, 2005.
- In July of 2005, the Ohio EPA referred the Facility to EPA for enforcement.
- U.S. EPA proposed an Administrative Order on Consent (Consent Order) under Section 3013 of RCRA, 42 U.S.C. 6914 to Schott Metal Products on March 21<sup>st</sup>, 2006. The intended purpose of the Consent Order was to seek sampling, monitoring and testing at the facility. U.S.EPA set a 30 day negotiation period, however, Schott Metal Products failed to meet with U.S.EPA or discuss the contents of the order during the time period allowed.

➤ **Effects on Human Health or the Environment:**

18. While the three SWMUs at the Facility have not been fully delineated and their impact upon the quality of groundwater underlying the facility has not been properly assessed, information gathered to date establishes the following:

- A. There is contamination in the soils and groundwater at the Facility, as well as elevated levels of TCE above the Safe Drinking Water Act (SDWA) Maximum Contaminant Level (MCL), and toluene in one on-site and one off-site water supply well.

- B. In addition, various inorganic wastes, including metals, have been detected sporadically throughout the Facility's monitoring history. Soil contamination constituents include metals, and volatile organics compounds such as 1, 1-Dichloroethylene and vinyl chloride.
- C. The hazardous waste identified from releases at the facility may pose a threat to human health or the environment. The contaminants that have been released into soil and groundwater can cause adverse health affects. Several VOCs, SVOCs and metals are present in groundwater, and can possibly migrate off-site. These contaminants, in addition to other on-site contaminants, are toxic in nature. Possible health effects due to exposure to these chemicals are listed below.
- 1) ***Toluene***: Exposure to toluene may affect the nervous system. Low to moderate levels can cause tiredness, confusion, weakness, drunken-type actions, memory loss and nausea, loss of appetite, and hearing and color vision loss. These symptoms usually disappear when exposure is stopped. Inhaling High levels of toluene in a short time can make one feel light-headed, dizzy, or sleepy. It can also cause unconsciousness, and even death. High levels of toluene may affect the kidneys.
  - 2) ***Trichloroethylene (TCE)***: Breathing small amounts of TCE may cause headaches, lung irritation, dizziness, poor coordination, and difficulty concentrating. Breathing large amounts of trichloroethylene may cause impaired heart function, unconsciousness, and death. Breathing it for long periods may cause nerve, kidney, and liver damage. Drinking large amounts of trichloroethylene may cause nausea, liver damage, unconsciousness, impaired heart function, or death. Drinking small amounts of trichloroethylene for long periods may cause liver and kidney damage, impaired immune system function, and impaired fetal development in pregnant women, although the extent of some of these effects is not yet clear. Skin contact with trichloroethylene for short periods may cause skin rashes. Some studies with mice and rats have suggested that high levels of trichloroethylene may cause liver, kidney, or lung cancer. Some studies of people exposed over long periods to high levels of trichloroethylene in drinking water or in workplace air have found evidence of increased cancer. Although there are some concerns about the studies of people who were exposed to trichloroethylene, some of the effects found in people were similar to effects in animals. In its 9th Report on Carcinogens, the National Toxicology Program (NTP) determined that trichloroethylene is "reasonably anticipated to be a human carcinogen." The International Agency for Research on Cancer (IARC) has determined that trichloroethylene is "probably carcinogenic to humans."
  - 3) ***Xylene***: Scientists have found that the three forms of xylene and xylene mixtures have very similar effects on health. No health effects have been noted at the

background levels that people are exposed to on a daily basis. Short-term exposure of people to high levels of xylene can cause irritation of the skin, eyes, nose, and throat; difficulty in breathing; impaired function of the lungs; delayed response to a visual stimulus; impaired memory; stomach discomfort; and possible changes in the liver and kidneys. Both short- and long-term exposure to high concentrations of xylene can also cause a number of effects on the nervous system, such as headaches, lack of muscle coordination, dizziness, confusion, and changes in one's sense of balance.

People exposed to very high levels of xylene for a short period of time have died. Most of the information on health effects in humans exposed for long periods of time is from studies of workers employed in industries that make or use xylene. Those workers were exposed to levels of xylene in air far greater than the levels normally encountered by the general population. Many of the effects seen after their exposure to xylene could have been caused by exposure to other chemicals that were in the air with xylene.

Results of studies in animals indicate that large amounts of xylene can cause changes in the liver and harmful effects on the kidneys, lungs, heart, and nervous system. Short-term exposure to very high concentrations of xylene causes death in animals, as well as muscular spasms, incoordination, hearing loss, changes in behavior, changes in organ weights, and changes in enzyme activity. Long-term exposure of animals to low concentrations of xylene has not been well studied, but there is some information that long-term exposure of animals can cause harmful effects on the kidney (with oral exposure) or on the nervous system (with inhalation exposure).

Information from animal studies is not adequate to determine whether or not xylene causes cancer in humans. Both the International Agency for Research on Cancer (IARC) and EPA have found that there is insufficient information to determine whether or not xylene is carcinogenic and consider xylene not classifiable as to its human carcinogenicity.

Exposure of pregnant women to high levels of xylene may cause harmful effects to the fetus. Studies of unborn animals indicate that high concentrations of xylene may cause increased numbers of deaths, decreased weight, skeletal changes, and delayed skeletal development. In many instances, these same high concentrations also cause damage to the mothers. The higher the exposure and the longer the exposure to xylene, the greater the chance of harmful health effects from the exposure.

- 4) **Arsenic:** Arsenic is a known carcinogen, and a potential teratogenic agent. Its main path of exposure to humans is through inhalation and dermal absorption. Long term exposure can cause nerve and liver damage, narrowing of the blood vessels, and affect red blood cell production. Arsenic in the presence of acid may

release a deadly gas, arsine. Arsenic has high acute toxicity to aquatic life, birds and land animals. It has a low solubility in water and is persistent in water, with a half-life of 200 days. Arsenic has high chronic toxicity to aquatic life, and is known to bioaccumulate in fish tissues.

- 5) **Barium:** Barium's route of exposure is generally through ingestion and inhalation. Barium compounds that dissolve well in water cause the most harmful health effects. Acute high exposure through ingestion results in liver, kidney, and heart damage. EPA allows 2 parts per million (ppm) of barium in drinking water. Barium's solubility varies from high to moderate depending on the barium salt. It is highly persistent in water and has a half-life of greater than 200 days.
- 6) **Cadmium:** High exposure to cadmium can cause acute health effects such as severe lung damage, fluid in the lungs, and in severe cases death. Cadmium is a probable cancer causing agent in humans, some studies link it to kidney and prostate cancer in humans, and it has been shown to cause lung and testes cancer in animals. It is a probable teratogen in humans, and may also damage the testes and affect the female reproductive cycle. Repeated low exposure can cause permanent kidney damage. Cadmium is highly persistent in water, with a half-life of greater than 200 days. Cadmium toxicity is influenced by water hardness, the harder the water the lower the toxicity. It has chronic and acute toxicity to aquatic life.
- 7) **Chromium:** Acute exposure to chromium dust can cause "metal fume fever", which causes fevers, chills, and muscle aches. Chromium is highly persistent in water and has a half-life of greater than 200 days. Hexavalent chromium is soluble and more mobile in groundwater than the trivalent chromium. Hexavalent chromium has a high acute and chronic toxicity to aquatic life.
- 8) **Lead:** Lead is a probable teratogen in humans. The primary routes of exposure are through inhalation and ingestion. Chronic health effects include decreased fertility in male and females; kidney and brain damage. Chronic lead exposure causes nerve and behavioral effects in humans and could cause similar effects in birds and animals. Water hardness controls the toxicity of lead to aquatic life, the softer the water the greater the toxicity. It has a high chronic toxicity to aquatic life.
- 9) **Mercury:** Exposure to high levels can cause pulmonary edema and death. Mercury compounds are human teratogens and may be embryotoxic. Chronic exposure can lead to kidney and damage. Acute and Chronic exposure can lead to tremors, loss of memory, hallucinations and psychosis. Mercury (II) and methyl mercury have high acute and chronic toxicity to aquatic life.
- 10) **1,2-Dichloroethane:** 1,2-Dichloroethane is carcinogenic in animals and mutagenic in bacterial test systems; it is a suspected human carcinogen. It can cause liver and kidney damage. Inhalation can cause shortness of breath,

pulmonary edema, loss of consciousness, and death. It has a slight acute toxicity to aquatic life. It is a man-made liquid not found naturally in the environment and is used to make, among other things, solvents that remove grease, glue, and dirt, including trichloroethane, trichloroethylene, perchloroethylene, vinylidene chloride, and ethyleneamines. It is also found in commercial solvents used, among other things, to remove grease from metal.

- 11) **1, 1-Dichloroethylene:** 1, 1-dichloroethylene, also known as Vinylidene Chloride, is on the EPA Hazardous Substance List, and the Special Health Hazard Substance List. It may be a cancer causing agent in humans since it's been shown to cause kidney, liver, and skin cancer in animals. Chronic exposures to 1,1-dichloroethylene may damage the developing fetus (teratogen) and affect the reproductive ability of males (mutagen). Bronchitis may also develop due to long term exposure. It has moderate acute and chronic toxic effects on aquatic life and is moderately soluble in water. 1,1-Dichloroethylene can be formed during the anaerobic biodegradation of trichloroethylene and also by the hydrolysis of 1,1,1-trichloroethane. Therefore, there is a potential for it to form in groundwater that has been contaminated by chlorinated solvents. It is also produced by the thermal decomposition of 1,1,1-trichloroethane, a reaction that is catalyzed by copper. 1,1,1-Trichloroethane is used as a degreasing agent in welding shops and other industries, so there is a potential for 1,1-dichloroethylene to be formed in industrial environments where 1,1,1-trichloroethane is used near sources of heat.

- 12) **Silver:** Exposure to high levels of silver for a long period of time may result in a condition called argyria, a blue-gray discoloration of the skin and other body tissues. Lower-level exposures to silver may also cause silver to be deposited in the skin and other parts of the body; however, this is not known to be harmful. Argyria is a permanent effect, but it appears to be a cosmetic problem that may not be otherwise harmful to health.

Exposure to high levels of silver in the air has resulted in breathing problems, lung and throat irritation, and stomach pains. Skin contact with silver can cause mild allergic reactions such as rash, swelling, and inflammation in some people.

Animal studies have shown that swallowing silver results in the deposit of silver in the skin. One study in mice found that the animals exposed to silver in drinking water were less active than unexposed animals.

No studies are available on whether silver affects reproduction or causes developmental problems in people.

- 13) **Selenium:** Selenium has both beneficial and harmful effects. Low doses of selenium are needed to maintain good health. However, exposure to high levels can cause adverse health effects. Short-term oral exposure to high concentrations of selenium may cause nausea, vomiting, and diarrhea. Chronic oral exposure to

high concentrations of selenium compounds can produce a disease called selenosis. The major signs of selenosis are hair loss, nail brittleness, and neurological abnormalities (such as numbness and other odd sensations in the extremities).

Brief exposures to high levels of elemental selenium or selenium dioxide in air can result in respiratory tract irritation, bronchitis, difficulty breathing, and stomach pains. Longer-term exposure to either of these air-borne forms can cause respiratory irritation, bronchial spasms, and coughing. Levels of these forms of selenium that would be necessary to produce such effects are normally not seen outside of the workplace.

Animal studies have shown that very high amounts of selenium can affect sperm production and the female reproductive cycle. It is not known whether similar effects would occur in humans.

- 14) **1,1-Dichloroethane:** Very limited information is available on the effects of 1,1-dichloroethane on people's health. The chemical was discontinued as a surgical anesthetic when effects on the heart, such as irregular heart beats, were reported.

Studies in animals have shown that 1,1-dichloroethane can cause kidney disease after long-term exposure to high levels in air. Delayed growth was seen in the offspring of animals who breathed high concentrations of the chemical during pregnancy.

- 15) **1,2-Dichloroethene:** Breathing high levels of 1,2-dichloroethene can make one feel nauseous, drowsy, and tired; breathing very high levels can be lethal.

When animals breathed high levels of trans-1,2-dichloroethene for short or longer periods of time, their livers and lungs were damaged and the effects were more severe with longer exposure times. Animals that breathed very high levels of trans-1,2-dichloroethene had damaged hearts.

Animals that ingested extremely high doses of cis- or trans-1,2-dichloroethene died.

Lower doses of cis-1,2-dichloroethene caused effects on the blood, such as decreased numbers of red blood cells, and also effects on the liver.

The long-term (365 days or longer) human health effects after exposure to low concentrations of 1,2-dichloroethene are unknown. One animal study suggested that an exposed fetus may not grow as quickly as one that has not been exposed.

- 16) **Vinyl Chloride:** Breathing high levels of vinyl chloride can cause one to feel dizzy or sleepy. Breathing very high levels can cause one to pass out, and breathing extremely high levels can cause death.



Some people who have breathed vinyl chloride for several years have changes in the structure of their livers. People are more likely to develop these changes if they breathe high levels of vinyl chloride. Some people who work with vinyl chloride have nerve damage and develop immune reactions. The lowest levels that produce liver changes, nerve damage, and immune reaction in people are not known. Some workers exposed to very high levels of vinyl chloride have problems with the blood flow in their hands. Their fingers turn white and hurt when they go into the cold.

The effects of drinking high levels of vinyl chloride are unknown. If one spills vinyl chloride on skin, it will cause numbness, redness, and blisters.

Animal studies have shown that long-term exposure to vinyl chloride can damage the sperm and testes.

The U.S. Department of Health and Human Services has determined that vinyl chloride is a known carcinogen. Studies in workers who have breathed vinyl chloride over many years showed an increased risk of liver cancer; brain cancer, lung cancer, and some cancer of the blood have also been observed in workers.

- 17) **Chloroethane:** Brief exposure to high levels can produce temporary feelings of drunkenness. At higher levels, it can cause lack of muscle coordination and unconsciousness. It can also cause stomach cramps, nausea, vomiting, and eye irritation. Chloroethane is sometimes applied to the skin as a numbing agent before surgery. If it is applied for too long, frostbite can result. Some people had allergic reactions to it, and others experienced mild pain after being sprayed for 10 seconds.

Laboratory tests in animals have shown that long-term exposure can cause cancer in mice. It is not known whether it causes cancer in humans. The International Agency for Research on Cancer (IARC) has concluded that chloroethane is not classifiable as to its carcinogenicity in humans.

- D. The Facility is located in a residential area, and some residences are within 50 feet of the Facility. Each home in the area uses groundwater as its primary source of water.
- E. Releases of hazardous wastes and hazardous constituents from the Facility may have migrated toward potential receptors. .
- F. On-site contamination of surface soils with VOCs and SVOCs and may have affected the Tuscarawas River, which is located within ¼ mile of the facility. Impacts to the water body from on-site contamination and migration have not been assessed.
- G. Furthermore, some of the contaminants in the Facility's soil have the potential to migrate into air.

#### **IV. CONCLUSIONS OF LAW**

19. Respondents' Facility is a "Facility or site" within the meaning of Section § 3013(a) of RCRA, 42 U.S.C. § 6934(a).
20. Respondents are each a "person" as defined in Section § 1004(15) of RCRA, 42 U.S.C. § 6903(15).
21. Respondents are each an "operator" of the Facility within the meaning of Section 3013(a) of RCRA, 42 U.S.C. § 6934(a). In addition, Respondents are each an "owner" of the Facility within the meaning of Section 3013(a) of RCRA, 42 U.S.C. § 6934(a).
22. Section 1004(27) of RCRA, 42 U.S.C. § 6905(27) defines the term "solid waste" to mean "Any garbage, refuse . . . and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations..."
23. Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), defines the term "hazardous waste" to mean:

A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may-

(A) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

(B) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

24. Section 1004(3) of RCRA, 42 U.S.C. § 6903(3), defines the term "disposal" to mean "the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters."

#### **V. FINDINGS OF SUBSTANTIAL HAZARD**

25. Based on the foregoing Findings of Fact, and pursuant to Section 3013(a) of RCRA, 42 U.S.C. § 6934(a), EPA has hereby determined that the Schott Metal Products Facility, operated by Schott Metal Products, Inc. and Samuel Schott, is a facility at which hazardous wastes are

present and at which hazardous wastes have been generated, stored and disposed of.

26. Based on the foregoing Findings of Fact, and pursuant to Section 3013(a) of RCRA, 42 U.S.C. § 6934(a), EPA has hereby determined that there is or may be a substantial hazard to human health or the environment due to the presence of hazardous wastes and constituents and potential releases of hazardous wastes and constituents from the Schott Metal Products Facility.

27. The actions required by this Order are reasonable to ascertain the nature and extent of such hazard.

## **VI. ORDER**

28. Based on the Findings of Fact, Conclusions of Law and Findings of Substantial Hazard as set forth above, Respondents are hereby ordered, pursuant to § 3013 of RCRA, 42 U.S.C. § 6934, to submit three (3) copies of a written proposal to EPA within thirty (30) days from the issuance of this Order, for carrying out monitoring, testing, analysis, and reporting in order to ascertain the nature and extent of the hazard posed by the hazardous wastes that are present at or that may have been released from the study areas at the Respondent's facility. The facility's study areas are identified and described in Section III of this Order under "Findings of Fact." Respondents are hereby ordered to implement such proposal once approved, or modified and approved, by EPA. Respondents are hereby ordered to commence implementation of such proposal within twenty (20) days of receiving U.S. EPA's approval. All work undertaken pursuant to this Order shall be performed in a manner consistent with "Interim Final RCRA Facility Investigation (RFI) Guidance," Volumes I-IV, EPA/530/SW-89-031, May 1989, and all other applicable EPA guidance. Applicable guidance may include, but is not limited to, documents listed in Attachment 2: References. Respondents' written proposal shall be specific and shall include, but is not limited to, the following:

- A. A work plan, including a schedule and proposal for progress reports, to evaluate (based on field data, tests, and cores ) the hydrogeologic conditions at the facility and Tuscarawas River, including the determination and description of: (i) regional and Facility-specific stratigraphy and distribution of hydrogeologic units; (ii) regional and Facility-specific groundwater flow patterns, recharge and discharge areas, and seasonal variations in the groundwater flow regime; (iii) characteristics of hydrogeologic units, including hydraulic conductivity and hydraulic interconnections between saturated zones; (iv) hydrogeologic cross-sections showing the extent of hydrogeologic units in the vicinity of the Facility; (v) water-level contours and/or potentiometric maps; (vi) the direction and velocity for the vertical and horizontal components of flow at the Facility, and (vii) man-made influences that may affect the hydrogeology of the Facility such as the groundwater collection system at the site (i.e., the system's design, operation, and objectives).
- B. A soil sampling and analysis workplan, including a schedule and proposal for progress

reports, to collect and analyze representative soil samples to determine the nature and extent of any soil contamination on and off-site for VOCs, SVOCs, and metals, and other constituents likely to be present in the waste material. The samples shall include near surface soils and extend to the full depth or extent of contamination. The workplan shall include the number, location, depth of samples, the parameters of the analyses, and quality assurance measures.

- C. A leachate and run-off sampling and analysis workplan, including schedule and proposal for progress reports, to determine the nature and extent of contaminated leachate and run-off flowing from the portions of the Facility adjacent to and downstream from the site's perimeter. The workplan shall address any potential on-site and off-site contamination. The workplan shall include the number, location, depth of samples, the parameters of the analyses, and quality assurance measures.
- D. A sediment sampling workplan and timetable to collect and analyze representative sediment samples to determine the nature and extent of contamination at the Tuscarawas River. The workplan shall include the number, location, and depth of the samples, and the parameters of the analyses.
- E. A groundwater monitoring workplan and timetable to characterize the groundwater quality and the extent of any groundwater contamination, both vertically and horizontally, which may exist on site, and which may be migrating from the Facility. The workplan shall include the number, location, and depth of monitoring wells, the number and frequency of samples to be taken, and the parameters of the analysis.

29. Each of the required work plans described above shall be designed to define the nature, location, extent, direction and rate of movement of any hazardous wastes or hazardous waste constituents which are present at or have been released from the Facility. Each work plan shall document the procedures the Respondents shall use to conduct the investigations necessary: (1) to characterize the potential pathways of migration of hazardous waste and hazardous waste constituents; (2) characterize the sources of hazardous waste and/or hazardous waste constituent contamination; (3) define the degree and extent of hazardous waste and/or hazardous constituent contamination; and (4) identify actual or potential receptors.

30. Respondents shall insure that laboratories used by Respondents for analyses perform such analyses according to the EPA methods included in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846) or other methods deemed satisfactory to EPA. If methods other than EPA methods are to be proposed, Respondents shall submit all protocols to be used for analysis to EPA at least thirty (30) calendar days prior to the commencement of the analyses. Respondents shall also ensure that laboratories used by Respondents for analyses participate in a quality assurance/quality control program equivalent to that which is followed by EPA.

31. The written proposal and all reports or documents required to be submitted under this Order shall be mailed to:

Tammy Moore, Project Coordinator  
U.S. Environmental Protection Agency, Region 5  
DE-9J  
77 W. Jackson Boulevard  
Chicago, IL 60604

#### **VII. ADDITIONAL WORK**

32. Based on work performed under the workplans described above, EPA may determine that additional monitoring, testing, analysis, and/or reporting is necessary to ascertain the nature and extent of any hazard to human health and the environment which may be presented by the presence or release of hazardous wastes and/or hazardous constituents at or from the Facility. If EPA determines that such additional work is necessary, EPA will notify Respondents in writing and specify the basis for its determination that additional work is necessary. Within fifteen (15) days after the receipt of such determination, Respondents shall have the opportunity to meet or confer with EPA to discuss the additional work. If required by EPA, Respondents shall submit for EPA approval a workplan for the additional work. EPA will specify the contents of such workplan. Such workplan shall be submitted by Respondents within thirty (30) days of receipt of EPA's determination that additional work is necessary, or according to an alternative schedule established by EPA.

#### **VIII. MINIMUM QUALIFICATIONS FOR PERSONNEL**

33. All work performed by the Respondents pursuant to this Order shall be under the direction and supervision of an individual who has demonstrated expertise in hazardous waste site investigation. Before any work is performed, Respondents shall submit to EPA, in writing, the name, title, and qualifications of the supervisory personnel and of any contractors or subcontractors to be used in carrying out the terms of this Order. Additionally, the Respondents shall ensure that when a license is required, only licensed individuals shall be used to perform any work required by this Order.

#### **IX. SUBMISSIONS/EPA REVIEW**

34. EPA will review all plans, reports, or other submittals required under this Order. EPA may: (a) approve the submission; (b) approve the submission with modifications; (c) disapprove the submission and direct Respondent to re-submit the document after incorporating EPA's comments; or (d) disapprove the submission and assume responsibility for performing all or any part of the work. As used in this Order, the terms "approval by EPA," "EPA approval," or a similar term means the action described in (a) or (b) of this paragraph.

35. Prior to approval in writing, or approval with modifications in writing, no plan, report, or other submittal shall be construed as approved and final. Oral advice, suggestions, or comments given by EPA representatives will not constitute approval, nor shall any oral approval or oral assurance of approval be considered as binding.

36. Upon receipt of a notice of disapproval in paragraph 34(c) above or a request for a modification, Respondent shall, within fifteen (15) days, or such longer time as specified by EPA in its notice of disapproval or request for modification, correct the deficiencies and resubmit the plan, report, schedule, other item for approval. Notwithstanding the notice of disapproval, or approval with modifications, Respondent shall proceed, at the direction of EPA, to take any action required by any non-deficient portion of the submission.

37. Within ten (10) days following EPA approval, or approval with modifications, of the plan, report or other submittal, Respondent shall implement the approved document.

38. All plans, reports, and/or other submittals required by this Order are, upon approval or approval with modifications by EPA, incorporated into this Order as if fully set forth in text herein. Any noncompliance with such EPA-approved plans, reports, specifications, schedules, and attachments shall be noncompliance with this Order. Oral advice or approvals given by EPA representatives shall not relieve Respondent of its obligation to obtain any formal, written approvals required by this Order.

39. In all instances which this Order requires written submissions to EPA, each submission must be accompanied by the following certification signed by a "responsible official":

I certify that the information contained in or accompanying this submission is true, accurate, and complete.

For the purpose of this certification, a "responsible official" means person in charge of a principal facility function, or any other person who performs similar decision-making functions for the facility.

#### **X. QUALITY ASSURANCE/QUALITY CONTROL**

40. Respondents shall follow EPA guidance for sampling and analysis. Respondents shall develop a Quality Assurance Project Plan (QAPP) for all sampling and analysis conducted under this Order. Workplans shall contain quality assurance/quality control (QA/QC) and chain of custody procedures for all sampling, monitoring, and analytical activities. Any deviations from the QA/QC and chain of custody procedures in approved workplans must be approved by EPA prior to implementation; must be documented, including reasons for the deviations; and must be reported in the applicable report.

41. The contact person(s), name(s), addresses, and telephone numbers of the analytical laboratories Respondents propose to use must be specified in the applicable workplan(s).
42. All workplans required under this Order shall include data quality objectives for each data collection activity to ensure that data of known and appropriate quality are obtained and that data are sufficient to support their intended use(s).
43. Respondents shall monitor to ensure that high quality data is obtained by its consultant or contract laboratories. Respondents shall ensure that laboratories used by Respondents for analysis perform such analysis according to the latest approved edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846 Third Edition as amended by Update One, July 1992), or other methods deemed satisfactory to EPA. If methods other than EPA methods are to be used, Respondents shall specify and submit all such protocols for EPA approval in the work plan. EPA may reject any data that does not meet the requirements of the approved work plan or EPA analytical methods and may require resampling and additional analysis.
44. Respondents shall ensure that laboratories they use for analyses participate in a QA/QC program equivalent to that which is followed by EPA. EPA may conduct a performance and QA/QC audit of the laboratories chosen by Respondents before, during, or after sample analyses. Upon request by EPA, Respondents shall have their laboratory perform analyses of samples provided by EPA to demonstrate laboratory performance. If the audit reveals deficiencies in a laboratory's performance or QA/QC, resampling and additional analysis may be required.

## **XI. PROJECT COORDINATOR**

45. EPA hereby designates as its Project Coordinator:

Tammy Moore  
U.S. Environmental Protection Agency  
Region 5  
Mail code DE-9J  
77 W. Jackson Blvd.  
Chicago, IL, 60604

46. Within ten (10) calendar days of Respondents' receipt of this Order, Respondents shall designate a Project Coordinator and submit the designated Project Coordinator's name, address, and telephone number in writing to EPA.
47. Each Project Coordinator shall, on behalf of the party that designated the Project Coordinator, oversee the implementation of this Order and function as the principal project

contact.

48. Respondents shall provide EPA with a written notice of any change in their Project Coordinator. Such notice shall be provided at least seven (7) calendar days prior to the change in Project Coordinator.

## **XII. THREATS TO PUBLIC HEALTH OR THE ENVIRONMENT**

49. If EPA's Project Coordinator determines that activities in compliance or noncompliance with this Order have caused or may cause a release of hazardous waste or waste constituents, or a threat to the public health or to the environment, EPA may require that Respondent stop further implementation of this Order for such a period of time as may be needed to abate any such release or threat and/or undertake any action which EPA determines is necessary to abate such release or threat; and may require Respondent to resume implementation of this Order.

## **XIII. SAMPLING AND DATA/DOCUMENT AVAILABILITY**

50. The Respondent shall submit to EPA upon request, the results of all sampling and/or tests or other data generated by, or on behalf of, the Respondent in implementing the requirements of this Order.

51. Respondents shall notify EPA, in writing, at least fourteen (14) calendar days in advance of engaging in any field activities at the Facility conducted pursuant to this Order. At EPA's request, Respondents shall provide or allow EPA or its authorized representatives to take split and/or duplicate samples of all samples Respondents collect pursuant to this Order. Similarly, at Respondents' request, EPA will allow Respondents or their authorized representatives to take split and/or duplicate samples of any samples EPA collects under this Order, provided that such sampling shall not delay EPA's proposed sampling activities. Nothing in this Order shall limit or otherwise affect EPA's authority to collect samples pursuant to applicable law, including, but not limited to, RCRA and CERCLA.

## **XIV. ON-SITE AND OFF-SITE ACCESS**

52. Respondents shall provide access at all reasonable times to the Facility and to all records and documentation relating to conditions at the Facility and the activities conducted pursuant to this Order to EPA and its employees, contractors, agents, consultants, and representatives. These individuals shall be permitted to move freely at the Facility in order to conduct activities which EPA determines to be necessary.



53. To the extent that activities required by this Order, or by any approved workplans prepared pursuant hereto, must be done on property not owned or controlled by either Respondent, Respondents will use their best efforts to obtain site access agreements in a timely manner from the present owners of such property. Best efforts, as used in this paragraph, shall include the payment of reasonable compensation in consideration of granting access. Respondents shall ensure that EPA's Project Coordinator has a copy of any access agreements.

54. Nothing in this Consent Order limits or otherwise affects EPA's right of access and entry pursuant to applicable law, including RCRA and the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA").

#### **XV. RECORD PRESERVATION**

55. Respondents shall retain, during the pendency of this Order and for a minimum of five (5) years after its termination, a copy of all data, records, and documents now in their possession or control, or in the possession of control of their contractors, subcontractors, representatives, or which come into the possession of control of the Respondents, their contractors, subcontractors, or representatives, which relate in any way to this Order. Respondents shall notify EPA, in writing, at least ninety (90) days in advance of the destruction of any such records, and shall provide EPA with the opportunity to take possession of any such records. Such written notification shall reference the caption, docket number and date of issuance of this Order and shall be addressed to:

Tammy Moore  
U.S. Environmental Protection Agency  
Region 5  
Mail code DE-9J  
77 W. Jackson Blvd.  
Chicago, IL 60604

Additionally, Respondents shall provide data, records and documents retained under this Section at any time before the expiration of the five (5) year period at EPA's written request ..

#### **XVI. INFORMATION SUBMITTED TO EPA**

56. Respondents may assert a business confidentiality claim in the manner described in 40 CFR ' 2.203(b) covering all or part of any information submitted to EPA pursuant to this Order. In accordance with 40 CFR § 2.204(e)(4), any assertion of confidentiality shall be adequately substantiated by Respondents when the assertion is made. Information submitted for which either Respondent has asserted a claim of confidentiality as specified above shall be disclosed by

EPA only to the extent and manner permitted by 40 CFR Part 2, Subpart B. If no such confidentiality claim accompanies the information when it is submitted to EPA, the information may be made available to the public by EPA without further notice to the Respondents.

57. Any information that Respondents is required to provide or maintain pursuant to this Order is not subject to the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq.

## **XVII. RESERVATION OF RIGHTS**

58. EPA expressly reserves all rights and defenses that it may have, including the right both to disapprove of work performed by Respondents pursuant to this Order, to require that Respondents correct and/or re-perform any work disapproved by EPA, and to request that Respondents perform tasks in addition to those stated in the Scope(s) of Work, workplans, or in this Order, consistent with the objectives of this Order.

59. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including any which may pertain to Respondents' failure to comply with any part of this Order specifically including, without limitation, the right to commence a civil action against Respondents seeking an order requiring compliance with this Order and/or the assessment of penalties under § 3013(e) of RCRA, 42 U.S.C. § 6934(e), and all rights EPA has pursuant to RCRA § 3013(d) to conduct monitoring, testing, analysis at the facility and to seek reimbursement from Respondents for the costs of such activity. This Order shall not be construed as a covenant not to sue, or as a release, waiver or limitation of any rights, remedies, defenses, powers and/or authorities, civil or criminal, which EPA has under RCRA, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Safe Drinking Water Act (SDWA), the Clean Air Act (CAA), or any other statutory, regulatory, or common law enforcement authority of the United States.

60. EPA expressly reserves all rights and defenses that it may have, including the right both to disapprove of work performed by Respondents pursuant to this Order, and to order that Respondents perform additional tasks.

## **XVIII. OTHER APPLICABLE LAWS**

61. All actions required to be taken pursuant to this Order shall be undertaken in accordance with the requirements of all applicable federal, state, and local laws, regulations, permits, and ordinances.

62. Compliance by Respondents with the terms of this Order shall not relieve Respondents of their obligations to comply with RCRA, or any other applicable federal, state, or local laws, regulations, permits, and ordinances.

63. This Order is not and shall not be interpreted to be a permit, or as a ruling or a determination of any issue related to a permit under federal, state or local law. This Order shall not in any way affect Respondents' obligation, if any, to secure such a permit, nor shall this Order be interpreted in any way to affect or waive any of the conditions or requirements that any such permit may impose, nor of Respondents' right to appeal any of such permit's conditions. Respondents shall obtain or cause their representatives to obtain all permits and approvals necessary under such laws and regulations.

#### **XIX. OTHER CLAIMS**

64. Nothing in this Consent Order shall constitute or be construed as a release from any claim, cause of action, demand, or defense in law or equity, against any person, firm, partnership, or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any hazardous wastes, hazardous constituents, hazardous substances, pollutants, or contaminants found at, taken to, or migrating from the Facility.

65. By issuance of this Order, the United States and EPA assume no liability for injuries or damages to persons or property resulting from any acts or omissions of Respondents or their agents, contractors, subcontractors or other representatives.

66. Neither the United States nor EPA shall be a party or be held out as a party to any contact entered into by the Respondents or their directors, officers, employees, agents, successors, representatives, assigns, contractors, or consultants in carrying out activities pursuant to this Order.

#### **XX. SUBSEQUENT MODIFICATION OF ORDER**

67. Except as provided in paragraph 68, this Order may only be modified by written amendment signed by the Branch Chief or the Regional Administrator, EPA, Region 5.

68. Modifications in any schedule adopted pursuant to this Order may be made in writing by EPA's Project Coordinator.

69. No informal advice, guidance, suggestions, or comments by EPA shall be construed to modify this Order. Routine communications exchanged verbally, in person or by telephone, between the parties to facilitate the orderly conduct of work under this Order shall not alter or waive any of the parties' rights and/or obligations.

#### **XXI. STATEMENT OF SEVERABILITY**

70. If any judicial or administrative authority holds any provision or authority of this Order, or its application to any party or circumstances, to be invalid, the application of such provisions to other Parties or circumstances and the remainder of the Order shall not be affected by such a holding and shall remain in full force.

## **XXII. TERMINATION AND SATISFACTION**

72. Respondents may seek this Order's termination by submitting to EPA a written document which indicates Respondents' compliance with all its requirements, and the associated dates of approval correspondence from EPA. This Order shall be deemed satisfied upon Respondents' and EPA's execution of an "Acknowledgment of Termination and Agreement for Record Preservation and Reservation of Rights" (Acknowledgment). The Acknowledgment shall specify that Respondents have demonstrated to EPA's satisfaction that this Order, including any additional tasks EPA determines are required pursuant to it, have been satisfactorily completed.

73. This Order shall be deemed satisfied upon Respondents' receipt of written notice from EPA that Respondents have demonstrated to EPA's satisfaction that the Order, including any additional tasks EPA determines are required, have been satisfactorily completed. This notice shall not, however, terminate Respondents' obligations to comply with any continuing obligations hereunder, including without limitation, Section XII (Record Preservation), XIV (Reservation of Rights), XV (Other Applicable Laws).

## **XXIII. OPPORTUNITY TO CONFER**

74. In accordance with Section 3013(c) of RCRA, 42 U.S.C. § 6934(c), Respondents may confer in person or by telephone with EPA regarding this Order. Respondents may pursue the opportunity to confer with EPA either before or after the proposal is due, but not later than sixty (60) days after this Order's issuance. At such conference, Respondents may discuss the following with EPA: the Order, its applicability to the Respondents, the correctness of any factual determinations upon which the Order is based, the appropriateness of any action which Respondents are hereby ordered to undertake, and any other relevant and material issue.

75. The scheduling of a conference with EPA does not relieve Respondents of the obligation to submit the written proposal required under Section VI of this Order within thirty (30) days of the date of this Order's issuance, or to implement the proposal once EPA approves it or approves it with modifications EPA.

76. At the conference described above, Respondents may appear in person and/or by attorney or other representative. Additionally, Respondents may submit written comments to the EPA Project Coordinator addressing issues that could be raised in the conference within the time frames set for conducting such conference.

77. Any request for a conference with EPA, and other questions regarding this Order, should be directed to:

Thomas Williams, Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard, C-14J  
Chicago, IL 60604  
(312) 886-0814

If Respondents do not request a conference within the time periods provided in this Section, or do not agree upon a date to schedule such conference within the time periods provided in this section, Respondents shall be deemed to have waived their right under Section 3013 of RCRA to confer with EPA regarding this Order.

#### **XXIV. POTENTIAL CONSEQUENCES OF FAILURE TO COMPLY**

78. In the event Respondents fail or refuse to comply with the any of this Order's terms and provisions, EPA may commence a civil action in accordance with Section 3013(e) of RCRA, 42 U.S.C. § 6934(e), to require compliance and to assess a civil penalty (consistent with 40 CFR Part 19) not to exceed \$5,500 for each day during which such failure or refusal occurs.

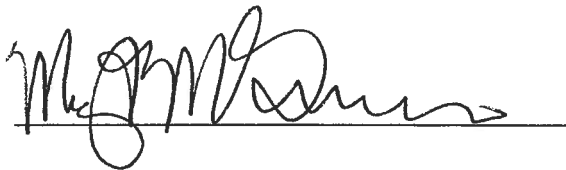
79. If EPA determines that Respondents are not able to conduct the activities required by this Order in a satisfactory manner, or if actions carried out are deemed unsatisfactory, then EPA or its representatives may conduct such actions EPA determines are reasonable to ascertain the nature and extent of the hazard at the Facility and any off-site areas. EPA may then seek reimbursement from Respondents for EPA's or its representatives' costs of such activity pursuant to Section 3013(d) of RCRA, 42 U.S.C. § 6934(d).

#### **XXV. EFFECTIVE DATE/DATE OF ISSUANCE**

80. The effective date of this Order is the date it is signed by the Division Director. The date of issuance of this Order shall be the same date as the effective date.

**IN THE MATTER OF**  
Samuel C. Schott, and  
Schott Metal Products, Inc.  
2225 Lee Drive  
Akron, Ohio 44306

**IT IS SO ORDERED:**

A handwritten signature in black ink, appearing to read 'Margaret Guerriero', is written over a horizontal line.

Margaret Guerriero, Director  
Waste, Pesticides and Toxics Division  
United States Environmental Protection Agency  
Region 5

Date: 8/3/06

ATTACHMENT 1  
REFERENCES

The following list identifies guidance documents, in addition to those documents already referenced in the Order, and other information which may be useful to Samuel Schott and Schott Metal Products, Inc.. in implementing the Order. This list is not exhaustive in that it does not include every guidance document applicable to work performed under a RCRA ' 3013 Administrative Order.

*AHealth and Safety Requirements of Employees Employed in Field Activities*,@ EPA Order 1440.2, July 12, 1981.

*ARCRA Ground-Water Monitoring Technical Enforcement Guidance Document (TEGD)*,@ OSWER Directive 9950.1, September 1986.

*ARCRA Facility Assessment (RFA) Guidance*,@ EPA/530/SW-86/053, October 1986.

*AData Quality Objectives for Remedial Response Activities*,@ EPA/540/G-87/003 & 004, OSWER Directive 9335.0-7B, March 1987.

*AAternate Concentration Limit Guidance, Part 1: ACL Policy and Information Requirements*,@ Interim Final, OSWER Directive 9481.00-6C, July 1987.

*AA Compendium of Superfund Field Operations Methods*,@ Two Volumes, EPA/540/P-87/001a&b, OSWER Directive 9355.0-14, August 1987.

*ATechnology Screening Guide for Treatment of CERCLA Soils and Sludges*,@ EPA/540/2-88/004, September 1988.

*AGround-Water Modeling: An Overview and Status Report*,@ EPA/600/2-89/028, December 1988.

*ARisk Assessment Guidance for Superfund, Volume II: Environmental Evaluation Manual*,@ Interim Final, EPA/540/1-89/001, March 1989.

*AEcological Assessment of Hazardous Waste Sites: A Field and Laboratory Reference Document*,@ EPA 600/3-89/013, March 1989.

*A Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities*,@ Interim Final, EPA/530/SW-89/026, April 1989.

*A Handbook of Suggested Practices for the Design and Installation of Ground-Water Monitoring Wells*,@ EPA/600/4-89/034, April 1989.

*A Interim Final RCRA Facility Investigation (RFI) Guidance*,@ Volumes I-IV, EPA/530/SW-89-031, May 1989.

*A Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual (Part A)*,@ Interim Final, EPA/540/1-89/002, December 1989

*A Air/Superfund National Technical Guidance Study Series*,@ Volumes I-IV, EPA 450/1-89-001,002,003,004 (1989 and 1990).

*A Framework for Ecological Risk Assessment*,@ EPA/630/R-92/001, February 1991.

*A Human Health Evaluation Manual, Supplemental Guidance: Standard Default Exposure Factors*,@ OSWER Directive 9285.6-03, March 25, 1991.

*A Handbook: Ground Water*,@ Volumes I and II, EPA/625/6-90/016 (a&b), September 1990 and July 1991.

*A Characterizing Heterogeneous Wastes: Methods and Recommendations*,@ EPA/600/R-92/033, Feb. 1992.

*A Final Guidance for Data Useability in Risk Assessment*,@ (Parts A & B), OSWER Directive 9285.7-09A, April 1992.

*A Handbook of RCRA Ground-Water Monitoring Constituents: Chemical and Physical Properties*,@ EPA/530/R-92/022, September 1992.

*A Ground-Water Monitoring: Draft Technical Guidance*,@ EPA/530-R-93-001, November 1992.

*A Statistical Training Course for Ground-Water Monitoring Data Analysis*,@ EPA/530/R-93/003, 1992.

*A Subsurface Characterization and Monitoring Techniques: A Desk Reference Guide*,@ EPA/625/R-93/003b, May 1993.

*A Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*,@ SW-846, Third



Edition as amended by Update III or latest, U.S. EPA, June 1997.

*A Standard Guide for Risk Based Corrective Action Applied to Petroleum Release Sites*,@ ASTM E-1739-95, November 1995. (As approved by Region 5 guidance policy)

*A Conducting Risk-Based Corrective Action for Federally-Regulated UST Petroleum Releases*,@ U.S. EPA, Region 5, December 7, 1995.

*ASitting at the RCRA Data Quality Level Table, Update 1*,@ U.S. EPA, Region 5, Memorandum, December 14, 1995.

*ASoil Screening Guidance: Users Guide*,@ OSWER Publication 9355.4-23, April 1996.

*ASoil Screening Guidance: Technical Background Document*,@ EPA/540/R-95/128, May 1996.

*A Region 5 Ecological Data Quality Levels*,@ Final Report, August 26, 1996.

*AEPA=s Proposed Guidelines for Ecological Risk Assessment*,@ 61 Fed. Reg. 47552, September 9, 1996. (Note: Final document to be released in early-1998.)

*AEcological Data Quality Levels, RCRA Appendix IX Hazardous Constituents*,@ U.S. EPA, Region 5, Draft Report, August 18, 1997.

**Administrative Record  
Schott Metal Products  
OHD 004 192 720**

<b>Date</b>	<b>Type of Document</b>	<b>To:</b>	<b>From:</b>
* no date provided	Various manifests from Schott to Chemtron	File	Unknown
* no date provided	Chronology of events 1/14 (?)/88 to 6/1/89	File	
* no date provided	OEPA Comments to 2/14/2005 proposal	Shaklee	Nesbit
*no date provided	2001 Annual hazardous waste report	File	English
*no date provided	2000 Annual Hazardous Waste Report		
*no date provided	CME site history and operations	File	
*no date provided	CME table of contents	File	
*no date provided	Memorandum	File	Harry Sarvis, OEPA
*no date provided	Land Disposal Restrictions	File	Kevin M. Pierard
*no date provided	Ahmen Mustafa notes	File	Mustafa
*no date provided	Envelope from Schott's letter – as not deliverable		
*no date provided	Copy of Topo map of Schott area		
*no date provided	1999 Annual Hazardous Waste Report		
*no date provided	Memo – inventory of drums	Haley & Aldrich	Thompson Environmental Services (Larry Thompson)
*no date provided	Fax Transmittal Sheet with information on metals	File	Haley & Aldrich
*no date provided	Clean Harbors Waste Material Profile Sheet CH102283– well development water	Haley & Aldrich	
*no date provided	Clean Harbors Waste Material Profile Sheet CH102280– non- hazardous soil cuttings	Haley & Aldrich	
*no date provided	Clean Harbors Waste Material Profile Sheet CH102281– non-hazardous water (well purge water)	Haley & Aldrich	
*no date provided	Clean Harbors Waste Material Profile Sheet CH102282– hazardous soil	Haley & Aldrich	
May 10, 1983	Complaint #110	File	Miller, ER

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January 17, 1986	Complaint # 468	File	Burgan, NEDO
June 2, 1987	Complaint # 823	File	Grant Wilk
October 14, 1987	Initial Pollution Incident Report 1987	File	M. Dalton
November 18, 1987	Complaint Investigation Form	Coder	Greenberg, PIC
January 20, 1988	Analytical results w/COC of sampling at Schott	File	ODH
January 20, 1988	Empty photo envelope for photos taken 1/20/88	File	Anderson
January 27, 1988	Telephone Memo	Slone	Bailey, Schott
January 29, 1988	Telephone Memo	File	Slone
March 2, 1988	TSD	File	Sheryl K. Slone, OEPA
March 2, 1988	NOV of 1/20/88 inspection w/check sheets	Schott	Slone
March 2, 1988	GW sample results – Schott	File	ODH
March 3, 1988	Copy of GreenCard for Certified letter	File	
March 9, 1988	Telephone Memo	File	Slone
March 9, 1988	SIU Sample results	File	ODH
March 30, 1988	Response to NOV	Slone	Rector
April 11, 1988	EPA ID Number Request	File	S. C. Schott, Schott Metal Products CO.
April 19, 1988	GW results 2283 Sypher (collected 3/2/88)[hits]	Rhoades	Gereby
April 19, 1988	GW results 2254 Sypher (collected 3/2/88)	Ward	Gereby
April 19, 1988	GW results 1007 Ironwood (collected 3/2/88)	Barr	Gereby
April 19, 1988	GW results 2218 Lee Rd. (collected 3/2/1988)	Powell	Gereby
May 6, 1988	GW results Schott from sink	Schott	Leifheit
May 6, 1988	GW results Schott from Pressure tank	Schott	Leifheit

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May 17, 1988	VOC Sample submission Rpt – results from old well – sink	File	DPWS, OEPA
May 27, 1988	VOC Sample submission report – new shop well	File	DPWS, OEPA
June 7, 1988	OEPA Non Transient water supply letter	Schott	Davidson
July 29, 1988	GW results 2246 Sypher Rd. (collected 6/20/88)	VanHorn	Gereby
July 29, 1988	GW results 2227 Lee Rd. (collected 6/20/88) [hit]	Henderson	Gereby
July 29, 1988	GW results 2283 Sypher Rd. (collected 6/10/88) [hits]	Rhodes	Gereby
August 3, 1988	GW results 2270 Sypher (collected 6/20/1988)	Rhodes	Gereby
August 3, 1988	GW results at Schott 2225 Lee (collected 5/24/1988)	Schott	Gereby
October 21, 1988	Reply to NOV response	Schott	Slone
October 21, 1988	Telephone memo with Repasky, Ashland	File	Slone
October 24, 1988	Telephone memo with Rector, Schott	File	Slone
October 24, 1988	Telephone memo with USEPA	File	Slone
October 27, 1988	Telephone memo with Hunt, Ashland	File	Slone
October 27, 1988	Telephone memo with Repasky, Ashland	File	Slone
October 27, 1988	Telephone memo with USEPA	File	Slone
October 27, 1988	Telephone memo with Hunt, Ashland	File	Slone
October 27, 1988	Telephone memo with Repasky, Ashland	File	Slone
October 27, 1988	Telephone memo with Rector, Schott	File	Slone
November 16, 1988	IOC	Slone	Berg
November 17, 1988	Telephone memo with Gaskill	File	Slone
November 28, 1988	CME Schedule	Schott	Young
December 1, 1988	Photo log	File	Slone

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December 1, 1988	13 photos	File	Slone
December 1, 1988	CME notes	File	Slone
December 2, 1988	Telephone memo with Sam Schott	File	Slone
December 29, 1988	CME	Pierard	Krichbaum
January 10, 1989	No title	File	Dave Sholtis, OEPA
January 10, 1989	CME cover letter	Schott	Sholtis
February 2, 1989	Press release	File	
February 3, 1989	Akron Beacon Journal article	File	
February 3, 1989	Plain Dealer Article	File	
February 27, 1989	G-TSD	File	Sheryl K. Slone, OEPA
February 27, 1989	NOV of 2/1/89 inspection w/checksheets	Schott	Slone
March 29, 1989	Results of solid waste inspection regarding open dumping	Schott	Powell
May 11, 1989	Telephone memo w/ Buskirk, Chemron	File	Slone
June 1, 1989	Telephone memo w/Shapiro	File	Slone
June 1, 1989	Request to start legal and/or equitable actions	Celebrez-ze	Shank
June 6, 1989	Enforcement letter	Schott	Rucker
June 22, 1989	IOC – Topo map	Slone	Gereby
July 28, 1989	Telephone memo – w/USEPA w/ notification attached	File	Slone
August 1, 1989	IOC regarding criminal charges	File	Slone
August 2, 1989	Akron Beacon Journal article	File	
August 9, 1989	Complaint for Injunctive Relief and Penalty	File	Rucker
August 9, 1989	Plaintiff's combined set of Interrogatories...Samuel C. Schott	File	Rucker

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August 9, 1989	Plaintiff's combined set of Interrogatories...Schott Metal Products Co.	File	Rucker
August 9, 1989	Enforcement letter	English	Rucker
September 12, 1989	Cover letter to Interrogatories	English	Rucker
October 19, 1989	Financial Assurance	File	Carolyn Reiersen, OEPA
October 19, 1989	Financial Assurance NOV	Schott	Reiersen
November 3, 1989	Cover sheet and copies of 1) Plaintiff's Motion to Strike defendant Schott Metal Products...2) Plaintiff's Motion to Strike defendant Samuel C Schott...and 13 exhibits.	English	Rucker
November 8, 1989	Enforcement letter	English	Rucker
November 14, 1989	Cover letter and copy of 1) Plaintiff's Motion to Respond Out of Rule 2) Plaintiff's Motion to Strike Defendant Schott Metal Products...w/19 exhibits 3) Plaintiff's Motion to Strike Defendant Samuel C. Schott...w/19 exhibits	English	Rucker
November 14, 1989	Cover letter noted above and copy of certified letter green card	English	Rucker
January 9, 1990	State v. Schott Metals cover sheet	Foreman	Rucker
January 9, 1990	State v. Schott cover sheet	Winter	Rucker
January 9, 1990	State v. Schott cover sheet re: pre-trial	English	Rucker
January 10, 1990	State v. Schott cover sheet re: pre-trial	Winter	Rucker
January 10, 1990	State v. Schott cover sheet to 3 documents	English	Rucker
January 18, 1990	Cover sheet and Plaintiff's Pre-Trial Statements and Brief	English	Rucker
January 18, 1990	Cover sheet to pre-trial statement	Winter	Rucker
January 20, 1990	Fax of Defendants' 1 <sup>st</sup> set of interrogatories & requests for production of documents	File	
April 17, 1990	Request for agreed information	English	Rucker
July 25, 1990	Cover letter and Plaintiff's Motion to Continue Trial date	Winter	Rucker
July 25, 1990	Cover letter to Plaintiff's Motion to Continue Trial date	English	Rucker

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July 25, 1990	Plaintiff's notice of Deposition Duces Tecum Propounded to Defendant	File	
July 25, 1990	Plaintiff's notice of service of Plaintiff's Deposition Duces Tecum	File	
July 25, 1990	Cover sheet to above 2 documents	Winter	Rucker
July 25, 1990	Cover sheet to Duces Tecum	English	Rucker
July 27, 1990	Request for monetary offer	English	Rucker
August 28, 1990	Consent Order	File	
August 28, 1990	Consent Order	File	Judge James P. Winter
September 11, 1990	Fax of Consent Order signed 8/28/90	Mustafa	Allen
September 12, 1990	Inspection notes (?)	File	Mustafa
September 12, 1990	Three (3) photos from 9/12/90 inspection	File	Mustafa
September 17, 1990	RCRA 14 day letter		
September 18, 1990	No title	File	Ahmed A. Mustafa, OEPA
September 18, 1990	CEI NOV w/check sheets	Schott	Mustafa
September 24, 1990	Certified letter green card	File	
October 10, 1990	Financial Assurance	File	Carolyn Reiersen, OEPA
October 10, 1990	Financial Assurance NOV	Schott	Reiersen
November 14, 1990 (rec'd)	Consent Order	File	
January 16, 1991	IOC – Violation of Consent Order	Rucker	Hawari
January 16, 1991	IOC – Violation of Consent Order	Rucker	Hawari
January 18, 1991	No title	File	Francine
January 23, 1991	USEPA NOV for LDR	Schott	Pierard
January 23, 1991	Notice of Violation	File	Kevin M. Pierard

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May 1, 1991	Hawari notes	File	Hawari
May 2, 1991	Four (4) photos	File	
May 13, 1991	CEI NOV for 5/1/91 inspection w/check sheets	Schott	Hawari
May 13, 1991	LDF Inspection	File	Ahmed S. Hawari, OEPA
May 17, 1991	Public Notice of Closure plan	Schott	Crepeau
May 17, 1991	Closure Plan	File	Thomas E. Crepeau, OEPA
June 7, 1991	IOC Closure plan receipt	Wertz	Meyer
August 13, 1991	Proposed Closure Plan	Nesbit	Sheppard
September 9, 1991	IOC-Closure comments	Vander-meer	Orr
September 12, 1991	Financial Assurance	File	Laurie Stevenson, OEPA
October 1, 1991	IOC- comments on possible Contempt Action [cover to previous item in file]	Rucker	Pam Allen
October 1, 1991	Fax cover sheet to 2 previous documents	Rucker	Pam Allen
October 4, 1991	Resolution of Possible Contempt Action w/ written comments	English	Rucker
November 19, 1991	CEI NOV for 10/21/91 inspection w/check sheets	Scott	Orr
December 9, 1991	CME	File	DDAGW
December 10, 1991	Non Compliance w/Consent Order 9/18/90 NOV attached	English	Rucker
December 12, 1991	Cover letter to CME	Pierard	Tom Allen
December 12, 1991	No title	File	Thomas Allen, OEPA
January 6, 1992	No title	File	Pamela S. Allen, OEPA
January 24, 1992	Noncompliance w/ Consent Order	English	Rucker
February 13, 1992	Closure Plan NOD	Schott	Schregardus
February 13, 1992	Notice of Deficiency – Closure Plan	File	Donald R. Schregardus, OEPA



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February 14, 1992	Noncompliance w/ Consent Order meeting verification	English	Rucker
February 24, 1992	Noncompliance w/ Consent Order	English	Rucker
April 6, 1992	Financial Assurance NOV	Schott	Reierson
April 6, 1992	Financial Assurance	File	Carolyn Reierson, OEPA
May 1, 1992	Synopsis of May 1, 1992 conversation	English	Rucker
September 30, 1992	Request for response to CME, NOD, and NOV	Schott	Palmer
September 30, 1992	No title	File	John B. Palmer, OEPA
October 1, 1992	Certified Mail green card	File	
April 15, 1993	John Brian Palmer Affidavit	File	Palmer
April 28, 1993	The State's Civil Charges in Contempt Against Defendants (w/ 13 attachments)	File	
April 28, 1993	Memorandum in support of the State's Civil Charges in Contempt	File	
April 28, 1993	Order to Appear and Answer Civil Charges in Contempt	File	
April 28, 1993	Praecipe	File	
May 1993	Closure Plan (also found at HW-298)	File	Haley & Aldrich
May 14, 1993	Order Continuing May 17, 1993 Contempt Hearing	Coleman	Rucker
May 14, 1993	Comprising/Settlement Negotiations	English	Rucker
May 19, 1993	Route Slip for four (4) previous documents	Palmer	Rucker
May 24, 1993	Telephone memo w/Biaglo, Haley & Aldrich	File	Courtright
May 24, 1993	Transmitting Filing	English	Rucker
May 26, 1993	Closure plan NOD conversation	Biaglow	Palmer
June 8, 1993	Cover sheet to closure plan	Palmer	English
June 21, 1993	Compromise/Settlement negotiations	English	Rucker

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July 22, 1993	Financial Assurance NOV	Schott	Kohler
August 5, 1993	Order continuing June 21, 1993 Contempt Hearing Date	English	Rucker
August 17, 1993	Transmittal of Draft Order to be filed w/ the court	English	Rucker
August 18, 1993	Notice of Violation	File	John B. Palmer, OEPA
August 19, 1993	CEI NOV for 8/11/93 inspection w/ check sheets	Schott	Palmer
August 23, 1993	Copies of certified letter green card	File	
August 25, 1993	GW IOC review of June 1993 Closure plan	Palmer	Adams
August 27, 1993	Compromise/Settlement negotiations w/ draft orders	English	Rucker
August 28, 1993	Revised Compromised/settlement negotiations w/draft orders	English	Rucker
August 28, 1993	Confirmation of Settlement	English	Rucker
August 30, 1993	Consent Order	File	
August 31, 1993	IOC – Closure plan comments	Meyer	Palmer
September 27, 1993	Corrective Action Stabilization Questionnaire	File	Mary Wojciechowski
October 4, 1993	Closure Plan	File	Donald R. Schregardus, OEPA
October 4, 1993	Closure NOD	Schott	Schregardus
October 6, 1993	Extension of time to comply w/ Agreed upon order	English	Rucker
October 30, 1993	Request for extension of time to comply w/ orders	Rucker	English
November 5, 1993	Granting an extension of time until 12/31/93	English	Rucker
December 1993	Revised Closure Plan	File	Haley & Aldrich
December 13, 1993	Cover sheet to closure plan	Rucker	English
December 13, 1993	Cover sheet to closure plan	Crepeau	English
December 13, 1993	Cover sheet to closure plan	Palmer	English

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January 6, 1994	Partial Response to Comments	File	Kurt Kohler, OEPA
January 6, 1994	Financial Assurance NOV	Schott	Kohler
January 19, 1994	GW IOC review of Dec. 1993 revised closure plan	Palmer	Adams
January 25, 1994	IOC – Closure Plan comments	Meyer	Palmer
February 18, 1994	IOC Contamination at 2283 Sypher Rd.	Courtright	Wilson
March 9, 1994	Closure Plan	File	Donald R. Schregardus, OEPA
March 9, 1994	Closure plan approval letter	Schott	Schregardus
April 22, 1994	EBR Case request for representation	Van Kley	Clinkscale
April 23, 1994	Partial Response to Comments	File	John B. Palmer, OEPA
May 11, 1994	Director's motion to continue 5/17/94 preliminary pre-hearing conference	File	Rucker
May 11, 1994	Director's Answer	File	Rucker
May 11, 1994	Director's notice of appearance	File	Rucker
May 11, 1994	Cover sheet to 3 previous documents	English	Rucker
May 11, 1994	May 2 and May 3, 1994 Meeting minutes	File	Haley & Aldrich
May 18, 1994	Clarifications to meeting minutes	Schott	Palmer
June 17, 1994	CEI NOV for 6/15/1994 inspection w/ check sheets	Schott	Palmer
June 20, 1994	Certified Mail green card	File	
August 3, 1994	Request for response to 6/17/1994	Schott	Palmer
August 19, 1994	Response to NOV	Palmer	English
August 23, 1994	Partial RTC	Schott	Palmer
October 21, 1994	Revised Closure Plan [also found at HW-299]	Crepeau	Schott
November 1, 1994	No title	File	John B. Palmer, OEPA

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November 1, 1994	Review of Revised Closure Plan	Schott	Palmer
November 1, 1994	IOC – receipt of Closure Plan	Courtright	Lukovic
November 3, 1994	Letter dated 8/9/1994	EBR	English
November 7, 1994	Financial Assurance NOV	Schott	Jennings
November 14, 1994	Compromise/settlement negotiations – closure comments	English	Rucker
November 21, 1994	No title	File	John B. Palmer, OEPA
November 21, 1994	F003 clarification letter	Schott	Palmer
November 25, 1994	Closure Plan Extension	File	Donald R. Schregardus, OEPA
November 25, 1994	Closure plan extension	Schott	Schregardus
December 1, 1994	AGO sending English 11/7/94 letter	English	Rucker
December 13, 1994	GW IOC review of Oct. 1994 closure plan	Palmer	Adams
December 19, 1994	No title	File	John B. Palmer, OEPA
December 19, 1994	Review of revised closure plan – GW concerns	Schott	Palmer
January 1, 1995	Proposed Stipulation and Settlement Agreement	English	Rucker
January 28, 1995	Clean copy of Proposed Stipulated and Settlement Agreement	English	Rucker
February 16, 1995	Revised Attachment A to joint Stipulated and Settlement Agreement	English	Rucker
February 16, 1995	Notice of Substitution of Counsel	English	Rucker
March 2, 1995	Compromise/Settlement Negotiations	English	Zima
March 16, 1995	Joint Stipulation and Settlement Agreement	File	
April 26, 1995	Order for Dismissal	File	
June 26, 1995	Proposed CME inspection date	Schott	Palmer
June 27, 1995	Facility History and Operations CME write-up	Adams	Palmer

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August 7, 1995	CEI NOV for 8/2/1995 inspection w/ check sheets	Schott	Palmer
August 10, 1995	Financial assurance NOV	Schott	Fish
September 28, 1995	Final CME	File	Thomas Allen, OEPA
September 28, 1995	Coversheet and CME	Pierard	Tom Allen
January 26, 1996	Cover sheet to CME	Schott	Savage
February 7, 1996	GW comments on amended closure plan	Schott	Palmer
March 7, 1996	Continuing violation of CEI, CME and financial assurance	Schott	Courtright
April 8, 1996	Request for extension of time to respond	Palmer	English
April 8, 1996	Extension until April 19, 1996	Schott	Palmer
April 19, 1996	Closure trust agreement	Palmer	English
April 19, 1996	Response to March 7, 1996 NOV w/rpt on prelim hydrogeo [found G-111]	Courtright	English
April 26, 1996	Letter of Transmittal regarding disposal of waste water to the Akron POTW	English	Haley & Aldrich
May 1, 1996	Cover letter and copy of closure trust agreement	Schregardus	English
May 1, 1996	Letter of Transmittal regarding disposal of waste water to the Akron POTW	English	Haley & Aldrich
May 2, 1996	Outstanding Violations from review of 4/19/96 response	Schott	Palmer
May 31, 1996	Request for extension of time to complete closure	Schregardus	English
June 4, 1996	Response to 5/2/96 OEPA letter	Palmer	English
June 5, 1996	Fax from Risk Specialists Co of Ohio	File	English
June 7, 1996	OEPA response to 6/7/96 letter	Schott	Palmer
May 31, 1996 (received 6/10/96)	Request for extension of time to complete closure	Schregardus	English
June 12, 1996	Annual report instructions	Schott	Canter
June 18, 1996	IOC regarding extension request	Palmer	Walter

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June 18, 1996	Residential well sampling results rec'd 7/1/96	File	DES
June 28, 1996	CEI NOV for 6/12/96 inspection w/check sheets	Schott	Palmer
July 1, 1996	Results of kitchen faucet water sampling (no VOC)	Schott	Palmer
July 1, 1996	Results from production water (TCE)	Schott	Palmer
July 1, 1996	Results of water sample 2227 Lee (no VOC)	Poulson	Palmer
July 1, 1996	Results of water sample 2218 Lee (no VOC)	Tennant	Palmer
July 1, 1996	Results of water sample 1036 Ironwood (no VOC)	Bates	Palmer
July 1, 1996	Results of water sample 2125 Lee (no VOC)	Allen	Palmer
July 5, 1996	Closure Plan Extension	File	Donald R. Schregardis, OEPA
July 8, 1996	Closure plan extension	Schott	Schregardus
July 9, 1996	Response to 6/28/96 OEPA letter – 3 attachments	Palmer	English
July 10, 1996	Meeting Attendance and Agenda	File	
July 15, 1996	OEPA review of 7/9/96 submittal	Schott	Palmer
July 17, 1996	Minor closure mod request	English	Biaglow
July 17, 1996	Cover sheet to mod request	Palmer	English
July 23, 1996	Returned Poulson letter envelope noting re-send	File	
July 30, 1996	Respond to OEPA 7/15/96 letter – 2 attachments	Palmer	English
August 1, 1996	Review of 7/30/96 submittal	Schott	Palmer
August 16, 1996	Letter of Transmittal regarding disposal of waste water to the Akron POTW	English	Haley & Aldrich
August 27, 1996	Summit Co Waste water discharge disclosure – rec'd NEDO 10/10/97	English	Neugebauer
August 27, 1996	Summit County letter regarding water discharge	English	Summit County
September 4, 1996	Form IC submittal	Canter	Shorey

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September 5, 1996	Meeting notes	File	Adams
September 6, 1996	Letter of Transmittal regarding disposal of waste water to the Akron POTW	English	Haley & Aldrich
September 11, 1996	Copy of manifest	Palmer	Shorey
September 16, 1996	Soil Leachability Test Procedure	Palmer	Biaglow
September 18, 1996	Wastewater discharge disclosure declaration	English	Neugebauer
September 26, 1996	OEPA review of soil leachability	Schott	Palmer
September 26, 1996	Request for extension of time to submit amended closure-rec'd NEDO 10/24	Schregardus	English
October 11, 1996	Cover sheet to amended closure plan [plan found HW-300 and HW-301]	Palmer	English
October 24, 1996	Receipt of amended closure and public notice	Schott	Terry
October 28, 1996	Response to extension request	Schott	Palmer
November 6, 1996	GW IOC review of report on preliminary hydrogeologic characterization	Palmer	Rizzo
December 18, 1996	Annual hazardous waste reports	Schott	Canter
February 5, 1997	GW IOC Review of Amended Closure Plan	Palmer	Adams
February 6, 1997	Comments on Report of Prelim Hydrogeologic Characterization	Schott	Palmer
March 20, 1997	Response to OEPA 2/6 and 2/7 letters	Palmer	English
March 25, 1997	Noting receipt of 3/20/97 letter	Schott	Palmer
April 4, 1997	IOC cover to Director's NOD for amended closure plan	Suleiman	Palmer
April 29, 1997	Notice of Deficiency – Amended Closure Plan	File	Donald R. Schregardis, OEPA
April 29, 1997	Notice of Deficiency	Schott	Schregardus
May 29, 1997	Notice of appeal to NOD	File	
June 3, 1997	Order docketing notice of appeal	File	
June 11, 1997	Memo regarding appeal	Ruff	Packer

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July 17, 1997	NOV for not responding to NOD	Schott	Palmer
July 17, 1997	Letter regarding meeting availability dates	English	Hoover
July 31, 1997	GW IOC review of March 20, 1997 submittal	Palmer	Adams
August 7, 1997	Comments on March 20, 1997 submittal	Schott	Palmer
August 13, 1997	Meeting minutes from August 4, 1997 meeting with OEPA	File	Haley & Aldrich
August 18, 1997	Follow-up meeting	Palmer	English
August 21, 1997	DRAFT letter regarding meeting agenda – faxed 8/1/97	English	D. Hagen
August 28, 1997	Response to 8/14/97 letter	English	Hoover
September 2, 1997	Letter of transmittal regarding waste water discharge disclosure declaration for the well purge waters	Schott	Haley & Aldrich
September 8, 1997	Status report of Ohio EPA – EBR case 773787	File	Hoover
October 27, 1997	DWATT letter	Schott	P. Allen
November 6, 1997	Health Base Risk Assessment	Palmer	D. Hagen
November 7, 1997	Status Report of Ohio EPA-EBR case 773787	File	Hoover
November 10, 1997	Pages from Ross Analytical Services data report	File	
November 12, 1997	Memo – inventory of drums	Haley & Aldrich	Thompson Environmental Services (Larry Thompson)
December 4, 1997	Cover sheet only to hazardous waste portion of CME	Rizzo	Palmer
December 23, 1997	Director's motion to continue final prehearing conference	File	Hoover
December 23, 1997	Director's motion to dismiss appeal	File	Hoover
1998 to 2002	Quarterly Waste Sampling 1998-2002: 10/15/1998, 4/15/1999, 7/16/1999, 1/19/1999, 12/29/1999, 3/14/2000, 7/03/2000, 12/29/2000, 4/12/2001, 9/6/2001, 10/15/2001, and 1/11/2002	File	
1998	1998 Annual Hazardous Waste Report		
January 5, 1998	Joint Status Report	Nesbit	Hoover



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January 13, 1998	CME w/ cover sheet dated 12/31/1997	File	DDAGW
January 23, 1998	CME NOV letter	Schott	Hawari
January 26, 1998	E-mail regarding table w/tox values	Palmer	McClure
January 26, 1998	Review of draft risk assessment	Schott	Palmer
February 2, 1998	Revised table w/ slope factors and toxicity values	Schott	Palmer
March 2, 1998	RCRA Inspection Form	File	Sheryl K. Slone, OEPA
March 6, 1998	Memorandum in opposition to the Director's motion to dismiss	Palmer	Hoover
March 18, 1998	ERAC's ruling on motion to dismiss (granted)	Palmer	Hoover
March 31, 1998	Calculations and map of drums located at Schott	File	Haley & Aldrich
April 19, 1998	Letter regarding analysis of samples of soils from well drilling and well development water	English	Clean Harbors
April 23, 1998	Summary of telephone calls	Haley & Aldrich	Clean Harbors
June 4, 1998	Phone notes w/ Sam Schott	File	Hawari
June 10, 1998	CEI NOV of 5/19/1998 inspection w/ check sheets and DWATT info	Schott	Hawari
June 16, 1998	Letter stating Clean Harbors needs pre-disposal sampling	English	Haley & Aldrich
June 25, 1998	Calculations	File	Haley & Aldrich
June 29, 1998	Summary of telephone call – regarding waste drums	Haley & Aldrich	Clean Harbors
July 1, 1998	Collected samples	File	Kemron
July 20, 1998	Summary of telephone call – regarding soil cutting and purge water analysis of samples	Haley & Aldrich	Kemron (Pat)
July 20, 1998	Letter stating sample results from 7/2/1998 were complete and would be complete once payment was made	Haley & Aldrich	English
August 13, 1998	Financial Assurance NOV	Schott	Fish
September 9, 1998	Summary of telephone call – regarding a bottle request	Haley & Aldrich	Kemron (Pat)
September 28, 1998	Summary of telephone call – voicemails	Haley & Aldrich	Clean Harbors

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November 13, 1998	Mtg or call w/ Dave Hagen	File	Hawari
March 1, 1999	Cover sheet to 1998 Supplementary Annual Rpt [Binder in Arch Box 221]	Hawari	English
March 5, 1999	GW work request	GW	Hawari
March 29, 1999	Cover sheet to resend of Hydrogeologic rpt [Binder HW-442]	Hawari	English
April 13, 1999	GW work request	GW	Hawari
May 18, 1999	Disposal invoice	Hawari	Schott
May 21, 1999	CEI NOV for inspection 5/18/1999	Schott	Hawari
June 28, 1999	Letter covering sampling field forms for 1996 to 1999	Rizzo	Haley & Aldrich
June 29, 1999	GW IOC Hydrologic Characterization report	Hawari	Rizzo
June 29, 1999	GW IOC review of 1998 supplementary annual report	Hawari	Rizzo
July 12, 1999	GW IOC review of 1998 data	Hawari	Rizzo
September 8, 1999	GW IOC review of update to hydrogeologic report submitted 3/30/1999	Hawari	Rizzo
September 28, 1999	GW NOV 1998 supp. rpt. and hydrogeo rpt.	Schott	Hawari
October 12, 1999	Request for closure plan	Schott	Hawari
October 15, 1999	Response to OEPA 9/28/99 letter	Hawari	D. Hagen
October 19, 1999	Financial assurance NOV	Schott	Osterfeld
December 22, 1999	Coversheet to modified closure plan [Archive box 221]	Hawari	English
December 22, 1999	Letter of transmittal to Ahmed Hawari of 3 copies of the Modified Amended CP dated 12/1999	Ahmed Hawari	Haley & Aldrich
December 28, 1999	IOC to send closure plan to Central Office	Lukovic	LaFavre
December 28, 1999	GW work request	GW	Loucek
March 1, 2000	Supplemental Annual Rpt. for 1999 [binder in archive box 221]	OEPA	English
March 13, 2000	GW work request	GW	Loucek

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April 5, 2000	Documentation Report – Risk Assessment	File	Surrena
April 14, 2000	GW IOC Draft GW conditions for conditional approval of closure plan	Loucek	Rizzo
April 20, 2000	GW work request	GW	Loucek
May 30, 2000	E-mail regarding closure plan	Adams	Palmer
June 1, 2000	Draft SAP for conditional approval of closure plan	Loucek	Rizzo
July 10, 2000	CEI NOV for inspection on 6/26/00 w/check sheets	Schott	Loucek
July 19, 2000	IOC of potential effective remediations	Loucek	Palmer
August 4, 2000	GW IOC review of 1999 supp annual report	Loucek	Rizzo
August 4, 2000	GW IOC review of 1999 GW monitoring data reports	Loucek	Rizzo
August 8, 2000	GW NOV based on 8/4 GW IOC's	Schott	Loucek
September 8, 2000	Letter of transmittal to Joe Loucek response to 8/8/2000 GW NOV	Joe Loucek	Haley & Aldrich
September 25, 2000	Contempt resolution request	English	Uhl
October 2, 2000	E-mail regarding COC's	Loucek	E. Hagen
October 20, 2000	Request for response to 9/25/00 letter	English	Uhl
November 22, 2000	Fax to Joan Hauenstein, Summit Co Dept. of Environmental Services	Hauens-Tein	Loucek
December 7, 2000	GW remediation letter from Summit Co.	Loucek	Hauenstein
December 22, 2000	Corrective measures investigation	File	DHWM
March 26, 2001	GW IOC – comments to response re: 1999 GW Ann. Report	Nesbit	Rizzo
March 29, 2001	NOC – 1999 GW. Annual Report	Schott	Nesbit
April 24, 2001	GW IOC – GW Monitoring Program Status	Nesbit	Rizzo
May 17 & 18, 2001	Field Report From CEI (For CEI NOV)	File	Nesbit
May 21, 2001	AGO – 1999 Closure Plan Comments	English	Glasgow

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May 21, 2001	Fax transmittal with 11 pages of analytical data	Weaver (SCES)	Haley & Aldrich
May 23, 2001	Fax transmittal sheet authorizing a one time discharge of 1000 gallons to Summit County Sewer	Schott	Haley & Aldrich
May 30, 2001	CEI NOV w/ checksheets	Schott	Nesbit
June 21, 2001	Fax – Comments to 5/21/01 AGO letter	Glasgow	Putz & D. Hagen
June 21, 2001	Comments to 5/21/01 AGO letter	Glasgow	Putz & D. Hagen
June 21, 2001	Response to an AGO letter detailing OEPA comments to Amended CP	Glasgow & Simcic	Haley & Aldrich
June 27, 2001	Telephone call memorialization	Putz & Hagen	Simcic
June 29, 2001	Financial Assurance NOV	Schott	J. Smith
July 23, 2001	Schott Metal Products, Inc's Detailed Responses to OEPA's May 21, 2001 Comments to its Closure Plan	OEPA	Schott Metal Products, Inc.
July 24, 2001	Fax from Glasgow – info from English	Nesbit	Glasgow
August 9, 2001	Confirmation of 8/20/01 MTG	English	Glasgow
August 15, 2001	2 <sup>nd</sup> NOV w/ copy of green card	Schott	Nesbit
August 20, 2001	MTG Sign in sheet	File	
September 25, 2001	SIU File info	Nesbit	Shane
2002	Waste Sampling with quarterly events Test America : 11/26/2002, 7/16/2002, 3/27/2002 analytical reports	File	
February 8, 2002	MTG. Letter	English	Glasgow
February 13, 2002	IOC – Amended Closure Approval	Jones	Nesbit
February 15, 2002	Schott MTG Sign in sheet	File	
February 25, 2002	Agreed Judgment Entry	File	Konoelik
February 26, 2002 & March 1, 2002	Director changes to CP approval & 2000 GW Annual Rpt.	Nesbit	Haley & Aldrich
March 1, 2002	2001 GW Annual Rpt.	Jones	Haley & Aldrich

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March, 2002	Groundwater Sampling Quarter 1	File	
March 12, 2002	Amended Closure Plan Approval	File	Christopher Jones, OEPA
March 12, 2002	Amended Closure Plan Approval	File	Christopher Jones, OEPA
March 12, 2002	Amended Closure Plan Approval	Schott	Jones
March 25, 2002	Prusnek Field Notes from CEI	File	
March 25, 2002	CEI Field Report	File	Nesbit
April 16, 2002	NOV w/ checksheets	Schott	Nesbit
April 23, 2002	Fax of Notice of Appeal (Closure Plan Approval)	Nesbit	Glasgow
April 24, 2002	Fax – Order Docketing Notice of Appeal & Order	Nesbit	Schierberl
April 25, 2002	GW IOC – Review of FEB 2000 GW info	Nesbit	Rizzo
May 1, 2002	GW IOC – Review of June 2000 GW info	Nesbit	Rizzo
May 1, 2002	GW IOC – Review of September 2000 GW info	Nesbit	Rizzo
May 2, 2002	GW IOC – Review of Dec. 2000 GW Info	Nesbit	Rizzo
May 7, 2002	GW IOC – Review of 2001 AR	Nesbit	Rizzo
May 16, 2002	NOV – GW & 2/25/02 Consent Order	Schott & English	Nesbit
May 16, 2002	GW IOC – Review of March 2001 GW Info	Nesbit	Rizzo
May 16, 2002	GW IOC – Review of Aug. 2001 GW Info	Nesbit	Rizzo
May 16, 2002	GW IOC – Review of Sept. 2001 GW Info	Nesbit	Rizzo
May 21, 2002	GW IOC – Review of Dec. 2001 GW Info	Nesbit	Rizzo
May 24, 2002	GW & 2/25/02 Consent Order NOV	Schott & English	Nesbit
June, 2002	Groundwater Sampling Quarter 2	File	
June 4, 2002	Request for Technical MTG.	Hagen	Nesbit

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June 6, 2002	Financial Assurance NOV	Schott	Smith
June 7, 2002	Email – phone conversation Nesbit with D. Hagan	Schierbeil & AGO	Nesbit
July 24, 2002	GW IOC	Nesbit	Rizzo
July 25, 2002	Settlement of Technical Issues	Hagen	Nesbit
July 26, 2002	Fax cover sheet receipt of 7/25/2002 letter	Hagen	Nesbit
July 26, 2002	GW Consent Order NOV	Schott/ English	Nesbit
July 26, 2002	Memorialization of 7/26/2002 call	Hagen	Nesbit
July 26, 2002	Fax cover sheet of 7/26/2002 letter	Hagen	Nesbit
July 26, 2002	Fax receipt of 7/ 26/2002	Hagen	Nesbit
August 8, 2002	No response to 7/25/2002 letter	Hagen	Nesbit
August 8, 2002	Fax Cover Sheet	Hagen	Nesbit
August 8, 2002	Fax receipt	Hagen	Nesbit
August 15, 2002	Resend to Schott of 7/26/2002 letter (GW)	Schott	Nesbit
August 26, 2002	Financial Assurance 2 <sup>nd</sup> NOV	Schott	Smith
August 28, 2002	Resend of 7/26/02 letter (phone memo)	Schott	Nesbit
September 9, 2002	Closure, GW & Consent Order NOV	Schott/ English	Nesbit
September 24, 2002	Fax – English 9/23/2002 response to Glasgow	Fax to Nesbit	Glasgow
October 2, 2002	Resend of 9/9/2002 letter	Schott	Nesbit
October 17, 2002	Closure GW & Consent Order NOV	Schott/ English	Nesbit
October 18, 2002	Financial Assurance 3 <sup>rd</sup> NOV	Schott	Smith
Decmeber 11, 2002	NOV – Financial Assurance	Schott/ English	Smith
November, 2002	Groundwater Sampling Quarter 3	File	

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November 19, 2002	GW IOC – 11/12/2002 inspection	Nesbit	Rizzo
November 20, 2002	Fax cover sheet to AGO with fax from Summit Co.	Glasgow	Nesbit
November 20, 2002	Email – Schott/Haley Aldrich phone calls	File	Nesbit
November 20, 2002	CEI NOV (inspection 11/12/2002)	Schott	Nesbit
November 22, 2002	Email – telephone conversation with Hagen	File	Nesbit
November 27, 2002	AGO letter	English	Glasgow
December 4, 2002	Fax from Summit Co DOES – purge water	Nesbit	Weaver
December 16, 2002	Summit Co. letter to Haley and Aldrich	Aragoma	Weaver
December 16, 2002	DOES file review	File	Nesbit
December 17, 2002	Field inspection Report with 8 digital photos	File	Nesbit
March 10, 2003	Schott Answers to Director's first set interrogatories	File	
March 11, 2003	Dave Hagen's Deposition	File	
March 21, 2003	Request for Sam Schott disposition	English	Simcic
April 1, 2003	Notice of Deposition for Sam Schott	English	Simcic
April 10, 2003	Second NOV Financial Assurance	Schott/ English	Smith
April 23, 2003 (rec'd)	Request for hearing	File	
May 2, 2003	GW IOC – Compliance Status	Nesbit	Rizzo
May 5, 2003	Financial Assurance NOV	Schott/ English	Rizzo
October 3, 2003	Ruling on revised case management	Schott/ English	Rizzo
November 11, 2003	GW 10C subpoenaed GW data 2002	Nesbit	Smith
December 24, 2003	Financial Assurance NOV	Schott/ English	Smith
January 16, 2004	CEI NOV w/ checklists (inspection 12/18/2003)	Schott/ English	Nesbit

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February 17, 2004	Ruling on Joint motion for continuance	File	
March 29, 2004	SMP Failure to submit SAP letter	English	Shaklee
June 16, 2004	Coversheet to Drift Proposed Joint Case MGMT	File	
June 25, 2004	3 <sup>rd</sup> NOV Financial Assurance	Schott/ English	Smith
July 9, 2004	Fax - Ruling on Joint Case MGMT schedule	Nesbit	Shaklee
July 12, 2004	Records Supplement	File	
October 26, 2004	Fax from AGO of Appellant's witness list and Exhibit list	Nesbit	Shaklee
October 28, 2004	Summit County Compliance Evaluation Inspection LDF (unpermitted)-Notice of Violation	File	Karen L. Nesbit, OEPA
October 28, 2004	CEI NOV from 10/6/2004 inspection w/ Slone's notes	Schott/ English	Nesbit
October 29, 2004	AGO fax Schott ERAC pre-hearing brief	Nesbit	Shaklee
November 2, 2004	AGO Fax pre-hearing brief of Appellate Director	Nesbit	Shaklee
November 17, 2004	Meeting arrangements	English	Shaklee
November 17, 2004	Response to Shaklee 11/17/2004 letter	Shaklee	English
November 18, 2004	AGO response to English 11/17/2004	English	Shaklee
December 2, 2004	AGO Fax Proposed Agenda	Nesbit	Erlewine
December 22, 2004	Financial Assurance Second Notice of Violation	File	Jeanette D. Smith, OEPA
December 22, 2004	Financial Assurance 2 <sup>nd</sup> NOV	English/ Schott	Smith
February 15, 2005	AGO Fax of 2/14/2005 Settlement Proposal	Nesbit	Shaklee
February 24, 2005	AGO Fax of Transmittal of Revised Settlement Proposal	Nesbit	Shaklee
March 3, 2005	Motion to Dismiss Appeal	File	
March 3, 2005	Joint Stipulation & Settlement Agreement	File	



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April 1, 2005	Coversheet to SAP (Document located in ARCH 221)	Nesbit	Haley & Aldrich
April 11, 2005	Sampling and Analysis Plan	File	Haley and Aldrich, Inc.
April 29, 2005	GW IOC – Review of SAP	Nesbit	Rizzo
May 23, 2005	Comments on 4/2/2005 SAP	Nesbit	Hagen
June 23, 2005	Financial Assurance IOC	Financial Assurance File	Wilder
June 24, 2005	Aerial with parcel #'s from auditor's web page	File	
June 30, 2005	Interoffice Memo on Sampling and Analysis Plan	File	OEPA
June 30, 2005	IOC Sampling & Analysis plan	B. Murphy	K. Wesbit
July 7, 2005	Requesting Corrective Action	File	Harry Sarvis, OEPA
July 7, 2005	Request for USEPA to require CA	Boyle	Sarvis
May 19 -23, 2001	Summary of telephone call	Hills (SCES)	Haley & Aldrich